

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

W. STEVE SMITH, TRUSTEE,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H-05-1779
	§	
AMERICAN FOUNDERS FINANCIAL,	§	
CORP., <i>et al.</i> ,	§	
	§	
Defendants.	§	

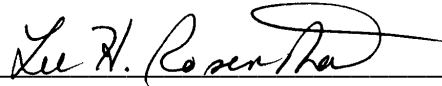
**ORDER GRANTING JOINT MOTION TO REINSTATE  
AND AGREED ORDER OF DISMISSAL**

The parties have informed this court that the court handling the receivership of Vesta Fire has approved the parties' Compromise Settlement Agreement and Release. This case is reinstated to the active docket.

Under this court's Order Granting Joint Motion to Approve and Implement Compromise Settlement Agreement and Release, once confirmation of approval and authorization by the Receivership Court and the Bankruptcy Court was received, an agreed order of dismissal was to be entered. This suit is dismissed, with prejudice. The Trustee's Amended Motion for Reconsideration, New Trial and/or Relief from Judgment is granted, but in light of the settlement and dismissal, the court does not reach the merits of the Amended Motion.

This suit is dismissed with prejudice, as provided in the Compromise Settlement Agreement and Release.

SIGNED on January 31, 2008, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal", written over a horizontal line.

Lee H. Rosenthal  
United States District Judge